

## DETAILED ACTION

### *Status of Claims*

The amendment filed on July 22, 2009 is acknowledged. Claims 1 – 4 are pending in this application. Claim 5 been cancelled. As amended, claims 1, 3 and 4 overcome the 35 U.S.C 112, second paragraph rejection cited in the previous office action. Claim objection against claim 4 has been withdrawn based on amendment.

### *Claim Rejections - 35 USC § 102*

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. **Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Andress (USP 5,839,961).**

Re claim 1, Andress discloses (Fig. 2) all of the limitations of a similar device comprising:

- An elongated bearing sleeve (10) that is provided with outwardly extending flanges (9) or the like, said bearing sleeve has a non circular inner surface.
- The flange material and the sleeve material have such characteristics that radial forces acting on the flanges and that are directed towards the center of the sleeve is transferred to resilient deflections of the sleeve.
- The outer part of at least one of the flanges is provided with a hook shaped portion (30).

Re claim 2

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- At least one of the flanges extends from the bearing sleeve at a point where the inner surface is positioned at a distance from a circle that is inscribed in the inner periphery of the sleeve (Fig. 2).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andress in view of Valentine (USP 4,932,846).**

Re claim 1, Andress discloses all of the limitations as set forth in claim 1, but fails to disclose the sleeve having a triangular shape.

Valentine (Fig. 2) teaches a sleeve (50) having a triangular shape as a known bearing structure for providing structural rigidity to withstand axial bending loads.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Andress, such that the sleeve has a triangular shape, as taught by Valentine, for the purpose of providing structural rigidity to withstanding axial bending loads.

Re claim 4, Andress as modified by Valentine discloses wherein the flange extends radially outwards from each tip of the triangle.

### ***Response to Arguments***

Applicant's arguments, in regards to the prior art reference Andress, filed July 22, 2009 have been fully considered but they are not persuasive.

The Applicant contends that *"the Andress structure includes an approximately 90° angle between the peripheral legs and the radial legs. This is not a "hook shape" as set forth in the claim. Furthermore, the purpose of the hook shaped portion 17 is to create a compressive force transmitted from the hook shaped portion, through the flanges 14, and into the bearing sleeve 13. The hook shaped structure enables the length of the flanges 14 to stay the same, even if shrinkage occurs to the bearing sleeve 13 due to the manufacturing process. On the other hand, the Andress peripheral legs 30 will produce a bending moment in the radial legs 20 when compressed, as the distal end of each peripheral leg is a significant distance from its radial leg intersection. This will create a tensile force on one side of the radial leg and a compressive force on the other side of the radial leg, causing two different deformations at the intersection of the radial leg and the bearing sleeve 7. Conversely, the claimed aspect will maintain only a compressive force in the flanges 14 to ensure that the flange remains a desired length in order to account for any shrinkage in the bearing sleeve 13. The Andress structure is not able to accomplish that task."*

According to Merriam Webster's Online Dictionary, the term *hook* is defined as "a curved or bent device for catching, holding, or pulling." The flanges (Fig. 2; 9) of Andress clearly meets this definition with portion 30, which represents a bent

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portion of the flange structure. Moreover, regardless of the intended use or function of the claimed structure (see MPEP 2114), the Applicant fails to define the "hook shaped portion" in a manner that precludes anticipation by Andress.

The 102 rejection in view the prior art reference Valentine has been withdrawn based on amendment to claim 1.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **PHILLIP JOHNSON** whose telephone number is (571)270-5216. The examiner can normally be reached on **MON - FRI, 7:30 AM - 5:00 PM**.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phillip Johnson/  
Examiner, Art Unit 3656

/Richard WL Ridley/  
Supervisory Patent Examiner, Art Unit 3656